

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

STEPHEN KELLY,)	CASE NO. 4:09CV3118
)	
Plaintiff,)	
)	AMENDED
v.)	MEMORANDUM
)	AND ORDER
JOANN SCHAEFER, in her official)	
capacity as commissioner of the)	
Nebraska Department of Health and)	
Human Services,)	
)	
Defendant.)	

Plaintiff, a non-prisoner, filed a Motion for Leave to Proceed In Forma Pauperis. (Filing No. [3](#)). Upon review of Plaintiff's Motion, the court finds that Plaintiff is financially eligible to proceed in forma pauperis.

IT IS THEREFORE ORDERED that leave to proceed in forma pauperis is provisionally granted, and the Complaint shall be filed without payment of fees.

DATED this 17th day of June, 2009.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge